

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
MAY 9, 2013**

- 2. APPLICATION: Z13-025 (ACCELA # 13335-00000-00142)**
Location: 116 EAST MOLER STREET (43212), being 0.28± acres located at the northwest corner of East Moler Street and South Fourth Streets. (010-037613, Columbus South Side Area Commission).
Existing Zoning: L-AR-3, Limited Apartment Residential District.
Request: CPD, Commercial Planned Development District.
Proposed Use: Retail and Multiple-unit dwellings
Applicant(s): Tarik Yousef; c/o Jennifer L. Route, Atty; 6895 East Main Street; Reynoldsburg, OH 43068.
Property Owner(s): Tarik Yousef; 23717 Liberty West Road; Raymond, Ohio 43067;
Planner: Dana Hitt; 645-2395; dahitt@columbus.gov

BACKGROUND:

- o This site was the subject of a rezoning in 2006 from the C-4, Commercial District to the L-AR-3, Limited Commercial District to develop multi-unit dwellings, but that development ultimately did not occur. This applicant seeks to rezone the site to the CPD, Commercial Planned Development District for limited commercial uses with dwelling units located above the first floor.
- o To the north and west are single-family and two-family dwellings zoned in the R-2F, Residential District. To the south across Moler Street is a parking lot zoned in the L-AR-3, Limited Apartment Residential District and nonconforming single-unit dwellings zoned in the C-4, Commercial District. To the east across South Fourth Street is a commercial development zoned in the C-4, Commercial District and single-family dwellings zoned in the R-2F, Residential District.
- o The site is located within the boundaries of *The South Side Plan* (2002). The existing structure on the north side of Moler Road is identified in the *South Side Plan* as a historic structure to be preserved. *The South Side Plan* also encourages new commercial development and supports the expansion of existing commercial development where appropriate
- o The previous rezoning proposal included the parking lot to the south across Moler Street however this applicant has not been able to gain control of that parking lot at this time. Due to this, the applicant has limited the proposed uses allowed in the CPD with the possibility of allowing more uses with higher parking requirements should the applicant gain control of that parking lot.
- o The Columbus Southside Area Commission recommended approval of this proposal on April 26, 2013.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will allow re-use of an existing industrial structure slated for preservation in *The South Side Plan* (2002). Parking is the only issue of concern to Staff and the applicant has worked with the Department of Public Service to limit the proposed uses so that they are comfortable that this proposal will not cause a parking problem in the area. The site was zoned commercially prior to the current zoning and this CPD, Commercial Planning Development District is consistent with the zoning and development patterns of the area.



Z13-025

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development

PROPERTY ADDRESS: 116 East Moler Street, Columbus, Ohio 43207; 12,027+ Sq. Ft.

OWNER: Tarik Yousef, 23717 Liberty West Road, Raymond, Ohio 43067

APPLICANT: Tarik Yousef, 23717 Liberty West Road, Raymond, Ohio 43067

DATE OF TEXT: March 1, 2013

APPLICATION #: Z13-025

1. INTRODUCTION

The subject property (hereinafter, the "Site") (Parcel ID# **010-037613-00**) is located on the north-west corner of Moler Street and South Fourth Street. The Site is currently owned by Tarik Yousef. The Site currently is vacant. The property previously was zoned as C-4, Regional Scale Commercial use and was rezoned to an M-Manufacturing District. On April 4, 2007, the Site was rezoned from an M-Manufacturing District to a Multi-family, LAR3; however, the Site was not used for any multi-family purposes.

Applicant proposes to rezone the Site to CPD, Commercial Planned Development District, to allow all uses under Chapter 3361. The Site, which is a combination of two neighboring parcels into one parcel, is developed with existing buildings. Applicant proposes to convert and use the existing buildings for furniture gallery space. In addition, Applicant proposes to rent the additional space as office space that will comply with CPD uses.

This CPD text is submitted in support of the zoning application filed concurrently herewith. This CPD text is submitted with respect to the change of use to the existing building structure. The site plan is compliant with Columbus City Code development standards. Any variances to the City Code requirements are identified in the CPD Text.

2. PERMITTED USES

Those uses permitted under Chapter 3356 for all C4 uses except as outlined below.

Medical practice, dental practice, sit down restaurant, convenience store, grocery store, school, and retail uses offering food and/or beverages for sale may be permitted upon acquisition of parcel 010-033452 which contains 23 additional parking spaces.

Uses excluded from this facility include animal shelters, auto repair, auto body, auto dealers, blood and organ banks, cabarets and night clubs, check cashing and loan facilities, food pantry, crematory, drive in theater, halfway houses, missions/temporary shelters, pawn brokers, repossession services.

3. DEVELOPMENT STANDARDS

Unless otherwise indicated in the submitted written text, the applicable development standards shall be those contained in Chapters 3361 as a commercial planned development district.

A. Density, Height, Lot and/or Setback Commitments.

1. The development shall remain as shown on the site plan.

B. Access, Loading, parking and/or Other Traffic Related Commitments.

1. Access to and from the building will be provided on the corner of Moler Street and South Fourth Street, as illustrated on the attached Site Plan. There is one entrance in the alley

that is perpendicular to South Fourth Street. There are two entrances in the back by the parking lot, one on each side of the parking lot. Applicant intends to re-open an entrance on the side of the building on South Fourth Street, which entrance has been covered over in brick.

2. Parking will be provided on a parking lot behind the building, accessible via Moler Street and an alley perpendicular to South Fourth Street. Applicant is attempting to purchase the parking lot that is situated directly across the street from the building, on the opposite corner of Moler Street and South Fourth Street it is Auditor Parcel Number 010-033452.

C. Buffering, Landscaping, Open space and/or Screening Commitments. N/A

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. Applicant will update the electrical service and install new finishes and flooring. Applicant also will paint the interior walls.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. Currently, there is a large dumpster by the loading dock in the parking lot. Applicant will reduce the size of the dumpster and move it to a location beside the parking spaces on the parking lot.

F. Graphics and Signage Commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments.

1. The Site shall be developed in accordance with the site plan and details. The plans may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and when engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

H. Other CPD Requirements.

1. Natural Environment: The property is surrounded by residential houses on the north and east sides of the building. Existing commercial use is in existence in the surrounding area in the form of a strip mall and parking lot.
2. Existing Land Use: The Site is currently vacant.
3. Circulation: The Site is currently being serviced by a curb cut on the corner of Moler Street and South Fourth Street and on the side of Moler Street
4. Visual Form of the Environment: The existing structure of the property will remain the same.

5. Visibility: The Site is visible from the street along both Moler Street and South Fourth Street. There is a residential house on the north side of the Site across the alley, which has a 6 foot privacy fence that partially blocks the visibility of the Site. There is a residential house on the west side of the Site by the parking lot, which has a tall fence and a garage that blocks the visibility of the Site. Applicant believes that the proposed uses will enhance the Site and that the Site will be utilized in a very safe and effective manner.

6. Proposed Development: The proposed development is a furniture gallery and office space.

7. Behavior Patterns: This property is currently being operated without adverse effect to its neighbors. The area is a commercial and residential area, but the residential part of the area is screened by fences and a garage. The proposed changes will not significantly alter the behavior patterns which currently occur on the site and will significantly enhance an independent effort that has not occasioned problems in relationship to its neighbors.

8. Emissions: There will be no additional emissions of sound, odor or dust of any kind in excess of that which currently occurs on Site. **The Site will be fully supervised and, therefore, only authorized activities will occur and then in an effective and lawful manner.**

The undersigned, being the owner of the subject property and the Applicant in the accompanying application, or other authorized representative, hereby agrees, singularly and collectively for himself, his heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and, for such purpose, he states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter, or modify any more restrictive provision of the Columbus City Code, except as permitted by the Development Text and drawings referenced herein.

SIGNATURE: _____
DATE: _____



STANDARDIZED RECOMMENDATION FORM

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW

Case Number 213-025
Address 116 E MOLER STREET
Group Name SOUTH SIDE AREA COMMISSION
Meeting Date APRIL 26, 2013
Specify Case Type
☐ BZA Variance / Special Permit
☐ Council Variance
☒ Rezoning
☐ Graphics Variance / Plan / Special Permit

Recommendation
(Check only one)
☒ Approval
☐ Disapproval

NOTES:

Approved

Vote IN FAVOR
Signature of Authorized Representative [Signature]
SIGNATURE
SOUTH SIDE AREA COMMISSION
RECOMMENDING GROUP TITLE
614-445-8319
DAYTIME PHONE NUMBER

Please FAX this form to Zoning at (614) 645-2463 within 48 hours of your meeting day; OR MAIL to: Zoning, City of Columbus, Department of Building & Zoning Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

